

P.L. 1997, CHAPTER 316, *approved January 8, 1998*
Assembly, No. 2269

1 **AN ACT** concerning the designation of certain birds as agricultural
2 livestock and supplementing Title 4 of the Revised Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. Notwithstanding any law, rule or regulation to the contrary, the
8 ostrich, emu, and rhea, shall be designated as agricultural livestock and
9 shall be subject to the laws, rules and regulations governing the
10 importation, care and breeding of that type of animal in the State.
11 Nothing in this section or in any other law, rule or regulation,
12 including the "Endangered and Nongame Species Conservation Act,"
13 P.L.1973, c.309 (C.23:2A-1 et seq.) shall be construed to classify the
14 ostrich, emu, and rhea as exotic animals or wildlife.

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16 2. The Secretary of Agriculture may adopt rules and regulations
17 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
18 (C.52:14B-1 et seq.), in order to effectuate the purposes of this act.

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20 3. This act shall take effect on the 60th day following enactment.

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STATEMENT

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25 This bill would designate the ostrich, emu, and rhea as agricultural
26 livestock, subject to regulations by the Departments of Agriculture and
27 Health. Currently, these birds are considered an "exotic species," and
28 their possession is regulated by the Division of Fish, Game and
29 Wildlife in the Department of Environmental Protection. The bill also
30 would permit the Secretary of Agriculture to adopt rules and
31 regulations necessary to effectuate the purposes of this act.

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Designates certain birds as agricultural livestock.